REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 5, 6, 8, 9, and 13-16 are currently pending, Claims 5, 8, and 13 having been amended, and Claim 14 having been added The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example, on original Claims 7 and 10; Figs. 3 and 6; and page 25, lines 12-25.

In the outstanding Office Action, Claims 5-6, 8-9 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shigeru et al. (JP-8-149464, hereafter "Shigeru") in view of Masuo et al. (JP-9-9258, hereafter "Masuo") and Kato et al. (U.S. Patent No. 6,795,498, hereafter "Kato").

With respect to the rejection of Claim 5 under 35 U.S.C. §103(a), Applicants respectfully traverse this ground of rejection. Claim 5, which has been amended for clarification purposes, recites, *inter alia*,

> storage means for temporarily storing restored image information sequentially created by the decoding process and for temporarily storing the encoded information, the encoded information including a picture encoding type; and
>
> output control means for controlling output of the restored image information stored in said storage means, wherein
>
> said output control means, when restored image information fails to be stored in said storage means, re-outputs restored image information outputted just before the failure and ignores a decoding start time set for a first encoded information of a plurality of encoded information stored in said storage means, to start decoding the first encoded information of a plurality of encoded information prior to the decoding start time of the first encoded information.

In a non-limiting example of the invention defined by amended Claim 5, Applicants'

specification describes the following on page 25, lines 19-25:

> When the decoding control unit 71 receives the first encoded information D2a ("I00" in the column "EO"), it ignores the start-up delay for the encoded information D2a ("6" [seconds] in the column "Sud") and performs control to immediately send the encoded information D2a to the reverse encoding unit 122 and start a decoding process ("0" [second] in the column "Dd"). As a result, the decoding control unit 71 can shorten a preparation time (driving time) for continuous reproduction.

Applicants submit that the applied art fails to disclose or suggest all of the features of Claim 5.

As previously presented, Shigeru is directed to an image decoder with a frame rate conversion function. Fig. 1 shows a buffer control part 10 and a input bit stream 100 is continuously stored in a buffer memory 71 which is attached to the control part 10. Shigeru appears to describe a situation when the data stored in buffer memory 71 does not correspond to the data in frame memories 72-74 due to an underflow situation, and then a redisplay of a preceding frame is carried out to compensate.

The Office Action acknowledges that Shigeru fails to disclose ignoring a decoding start time set for a first encoded information of a plurality of encoded information stored in said storage means, to start decoding prior to the decoding start time of the first encoded information.

The Office Action relies on Masuo to remedy this deficiency of Shigeru with regard to Claim 5.

As previously presented, Masuo is directed to a decoding device in which there is a standard decoding mode for decoding encoded video data based on the a decoding start time, and a special decoding mode for performing decoding without using the information on the decoding start time.

The Office Action states the following on page 4:

However, Masuo teaches to the encoded information including a picture encoding type ([0021] and [0022]), ignores a decoding start time set for a first encoded information of a plurality of encoded information ([0025], [0030] stored in said storage means (the main memory 6 is used for buffering of the encoded video data which is needed in this decoding process, or storing of reference video signal data [0027] and [0015], to start decoding prior to the decoding start time of the first encoded information...

In the cited portions of Masuo (para. [0025] and [0030], it describes an apparatus that ignores decoding time information (DTS/PTS) and decodes encoded data stored in memory in the special decoding mode. However, Masuo does not describe ignoring "a decoding *start time set for a first encoded information* of a plurality of encoded information stored in said storage means, *to start decoding the first encoded information* of a plurality of encoded information prior to the decoding start time of the first encoded information." In other words, while Masuo describes disregarding DTS/PTS to achieve a special decoding mode (freeze playing), Masuo does not describe specifically ignoring the decoding start time for anything that is the equivalent of "first encoded information" in Claim 5 so that it can start decoding such first encoded information prior to the indicated decoding start time.

Therefore, Applicant submits that Masuo fails to remedy the deficiencies of Shigeru with regard to Claim 5.

Kato has been considered, but fails to remedy the deficiencies of Shigeru and Masuo with regard to amended Claim 5. Therefore, Applicants respectfully submit that amended Claim 5 (and all associated dependent claims) patentably distinguishes over Shigeru, Masuo, and Kato, either alone or in proper combination.

Amended independent Claims 8 and 13 recite features analogous to those of amended Claim 5 discussed above. Therefore, Applicants respectfully submit that amended Claims 8 and 13 (and all associated dependent claims) patentably distinguish over Shigeru, Masuo, and Kato, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested. Furthermore, the examiner is kindly invited to contact the Applicants' undersigned representative at the phone number below to resolve any outstanding issues.
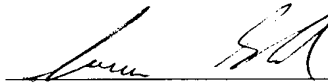
Respectfully submitted,

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